

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
TACOMA DIVISION

MICHAEL CHANNEL,

Plaintiff,

vs.

CAROLYN W. COLVIN,
Acting Commissioner of Social Security,

Defendant.

Civil No. 3:14-CV-05472-BHS

ORDER

Based on the stipulation of the parties, it is ORDERED that the Commissioner's decision in regard to Plaintiff's applications for supplemental security income payments under Title XVI of the Social Security Act be REVERSED and REMANDED to the Commissioner of Social Security for further administrative proceedings before an Administrative Law Judge, a de novo hearing, and a new decision. On remand, the Appeals Council will direct the Administrative Law Judge (ALJ) to give the claimant an opportunity for a hearing and obtain additional evidence. The ALJ will further evaluate the claimant's mental impairment in accordance with the special technique described in 20 CFR 404.1520a and 416.920a, and provide specific findings and appropriate rationale for each of the functional areas described in 20 CFR 404.1520a(c) and

1 416.920a(c). The ALJ will reevaluate the opinion of the treating physician, Greg Zarelli, M.D.,
2 and the residual functional capacity. The ALJ will obtain evidence from a vocational expert to
3 clarify the effect of the assessed limitations on the claimant's occupational base pursuant to
4 Social Security Ruling 83-14.

5 This Court hereby reverses the Commissioner's decision under sentence four of 42
6 U.S.C. §405(g) with a remand of the case to the Commissioner for further proceedings. *See*
7 *Melkonyan v. Sullivan*, 501 U.S. 89 (1991). Plaintiff will be entitled to reasonable attorney fees
8 and costs pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d), upon proper request
9 to this Court.

10 DATED this 1st day of December, 2014.

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13 BENJAMIN H. SETTLE
14 United States District Judge

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16 Presented by:

17 s/ Jeffrey E. Staples

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